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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,572	12/27/2005	Takashi Isobe	1163-0542PUS1	7881
2292 7590 02/12/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
STERLING, AMY JO				
ART UNIT		PAPER NUMBER		
3632				
NOTIFICATION DATE		DELIVERY MODE		
02/12/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/562,572

Applicant(s)

ISOBE ET AL.

Examiner

AMY J. STERLING

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-31, 34-38, 40-50 is/are rejected.
- 7) ☒ Claim(s) 20-23, 32, 33 and 39 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This is the **Final Office Action** for application number 10/562,5721 ON-VEHICLE DISPLAY DEVICE, filed on 12/27/05. Claims 20-50 are pending. This **Final Office Action** is in response to applicant's reply dated 12/20/07. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Applicant's amendment necessitated any new ground(s) of rejection presented in this Office action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 20-50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

The list below is an example list only and is not intended to be exhaustive:

All grammatical errors are required to be fixed.

Claim 24 (line 5) recites, "an attitude setting mechanical unit". This appears to be a foreign translation. Perhaps the it is meant to say, "altitude". Currently it is unclear.

Claims 24 (line 15) recites, "a second operating...unit for holding or cancelling the combination" and it is unclear how the mechanical unit "cancels" the combination. The limitation is unclear.

Claim 20 (line 3) recites, "for accommodating the convex portion that it can protrude" and it is unclear what the term "it" refers to.

Claim 20, (line 6), recites "of the convex position which caused by this elastic member". This is grammatically incorrect.

Claim 50 recites, "said socket portion" and there is a lack of antecedent basis for this claim

Claim Rejections - 35 USC § 102

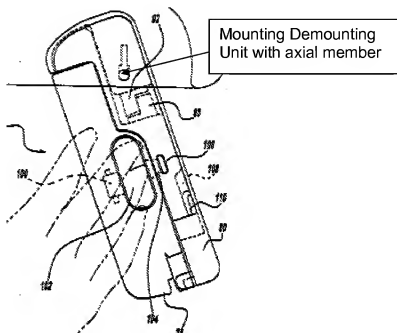
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Claims 24-28, 29, 34-37, 40, 42, 44-46, 48 and 50 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent Publication No. 2006/0109388 to Sanders et al.

The publication to Sanders et al. discloses a vehicle-mounted display having an attitude setting mechanical unit for, when combining the cabinet (38) containing a media presentation device and being separate from the supporting base (54, 80) such that the

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cabinet must be combined with the supporting base in order to mount the apparatus to a surface, enabling determination of a rotational attitude of one of them with respect to the other one for each of a plurality of positions; a mounting and demounting mechanical unit (See Below) for combining the cabinet (38) and the supporting base so that the cabinet can be mounted to and demounted from the supporting base the mechanical unit having an operating mechanical unit for holding or cancelling the combination of the cabinet and the supporting base and wherein an axial member means (See Below) is disposed and used as an axis of rotation, as the mounting and demounting mechanical unit, in one of the cabinet and the supporting base and a convex portion (102) with rotational symmetry is formed, as the attitude setting mechanical unit, in an outer surface of this axial member disposed in the cabinet and an operation means for causing the axial member means to reciprocate is also, as the operating mechanical unit, disposed in the cabinet, and the fitting hole means is disposed in the supporting base and a concave portion (106) with rotational symmetry which is engaged with the convex portion is formed, as the attitude setting mechanical unit, in an inner surface of the fitting hole means.



Sanders et al. also teaches a second mounting and demounting mechanical unit (92) for combining the cabinet and the display unit so that the display unit can be mounted to and demounted from the cabinet; and a second operating mechanical unit for holding the combination of the cabinet and the display unit, and for canceling the combination of them and a third mounting and demounting mechanical unit (See Figure 9) for combining the cartridge and a sound source device so that the sound source device can be mounted to and demounted from the cartridge; and a third operation mechanical unit for holding the combination of the cartridge and the sound source device, and for canceling the combination of them and as the third mounting and demounting mechanical unit, an accommodating recess and a pressing means dispensed in one of opposing surfaces of the accommodating recess, for pressing the sound source

device which is inserted into the accommodating recess toward another one of the opposing surfaces.

Sanders et al. also teaches a method for selectively mounting and de-mounting a display apparatus to a surface having a mounting base disposed thereon, the method steps of coupling a cabinet having a cavity that contains a display media presentation device to the mounting base using retractable axial members disposed on inside surfaces of protruding portions of the cabinet such that the axial members have a cross-sectional shape that corresponds to fitting holes disposed in the base, and wherein the axial members may be selectively retracted into or projected from the protruding portions of the cabinet with an axial member actuation device disposed within the cabinet and further wherein the axial members are disposed along an axial line and enable the cabinet to be rotatably mounted to the base, with the axial line comprising the axis of rotation removing the media presentation device (See Figure 9) the cavity and placing the removed media presentation device in a second cabinet, the second cabinet also having a cavity to accommodate the media presentation device and removing the media presentation device from the cavity and placing a different media presentation device into the cavity and coupling the cabinet to the base by inserting the axial members into the fitting holes and de-coupling the cabinet from the base by retracting the axial members from the fitting holes.

Sanders et al. teaches a supporting base being a plurality of bases (54, 80) having an attachment device (64) for attaching the base to a ceiling surface of a vehicle passenger compartment, including a permanently affixed mounting bracket (30) and,

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the base and mounting bracket affixed by different methods (64 and 62), fitting holes (See Figure above for holes) on opposite outward facing ends of the base such the holes are disposed along a straight line wherein the apertures and floors of a pair of holes lie along the same straight line, the holes having such a shape that a display may be slidably inserted and retracted from fitting holes wherein a socket portion of the fitting hole is disposed within the base such that the socket portion rotates with respect to the base.

Claim Rejections - 35 USC § 103

Claims 30, 31 and 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over United States Publication No. 2006/0109388 to Sanders et al. and in view of Japanese Patent No. 07-329648 to Takeuchi.

Sanders et al. discloses applicant's basic inventive concept, all the elements which are shown above with the exception that it does not show that the axial member means is two regular polygonal prisms which are slidably supported by the cabinet, and which are arranged at an interval and in an identical center line, and the fitting hole means is holes each having a shape into which a corresponding one of the regular polygonal prisms can be fitted, and characterized in that the operation means causes the two regular polygonal prisms to open along the identical axis line and in a direction of an outer side of the cabinet in response to a manipulation of an operating member and also causes the two regular polygonal prisms to close in a direction of an inner side of the cabinet using a pressing means, and includes stoppers for restricting free

rotational movements of the regular polygonal prisms which are caused by this pressing means and a movement transferring means for transferring a movement of the operating member to the axial member means.

Takeuchi teaches a rotational member which has an axial member means (23, 18) which is two regular polygonal prisms which are slidably supported together and which are arranged at an interval and in an identical center line, and the fitting hole means (18) is holes each having a shape into which a corresponding one of the regular polygonal prisms can be fitted, and characterized in that the operation means causes the two regular polygonal prisms to open along the identical axis line and in a direction of an outer side of the cabinet in response to a manipulation of an operating member and also causes the two regular polygonal prisms to close in a direction of an inner side of the cabinet using a pressing means, and includes stoppers for restricting movements of the regular polygonal prisms which are caused by this pressing means and a movement transferring means for transferring a movement of the operating member to the axial member means. This configuration is used so that the device may be selectively located at the desired angle and held there by friction and restrict it from free rotation. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made from the teachings of Takeuchi to have used this configuration in order to be able to locate the display at a desired angle.

Claims 41, 43, 47 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Publication No. 2006/0109388 to Sanders et al.

Although Sanders et al. does not specifically teach the fastening methods or the surface it would be obvious to one of ordinary skill in the art to have used any suitable fastening method and attached it to any suitable surface because the substitution of such has a predictable result. (See KSR v. Teleflex, 550 U.S., 127 S. Ct. 1727 (2007)).

Response to Arguments

The applicant has argued that the Sanders et al reference does not disclose a second mounting and demounting device. This is unpersuasive in that element (92) connected and disconnects the cabinet from the base.

The applicant has argued that the Sanders et al reference does not teach an axial member disposed in the cabinet. The definition of the cabinet has been changed to 38, (See rejection above), the axial members being shown in the marked figure above, thereby meeting this limitation.

With regards to claim 34, the applicant has argued that the Sanders et al. reference does not teach "retractable axial members" saying that the axial members do not retract. This is unpersuasive in that the applicant is arguing the claim narrower than claimed. The applicant has only claimed that the axial members are "retractable" relative to the base", which is met by the reference, the axial members being able to be retracted from the base, to disconnect the unit.

With regards to claim 40, the applicant has argued that the holes are not outward facing. Without further limiting the direction that is intended to be "outward", the argument is not persuasive.

Allowable Subject Matter

Claims 20-23, 32, 33 and 39 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 571-272-6823. The fax machine number for the Technology center is 571-273-8300 (formal

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amendments) or 571-273-6823 (informal communications only). Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 571-272-3600.

/Amy J. Sterling/
Primary Examiner
2/8/08